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THE CASE OF Col. Burſton,

WITH

Reſpect to the Diſpute between him and Lieutenant General WILLS.

LONDON:

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BRITISH MUSEUM

THE Introduction.

AS Publick Injuſtice requires Publick Vindication, Colonel Burſton, *after ſeven Years bearing with Silence, and Moderation, the Miſrepreſentations of his Enemies, and ſuffering patiently the ill Conſequences of thoſe Miſrepreſentations, finds himſelf obliged to make his Caſe Publick.*

There is a Debt due to a Man's own Reputation, which every Man of Honour is bound to Pay; 'tis a part of Self-Defence, which the Law of Nature calls for, and 'tis even a Debt to our Friends, if we expect to keep their Friendſhip, ſince all True Friend-

ſhip is founded in Virtue and Honour, and no Friendſhip ought to be expected from Honeſt Men, any longer than we can Vindicate our Actions, and prove our ſelves worthy of it.

It is for theſe juſt Reaſons that this Affair is made Publick, and for no other; no Paſſion, no Reſentment, no Malice is concern'd in any part of it; as the Colonel is uneapable of ſtooping to ſo mean a way of Satisfaction for any hardſhip received; ſo whatever thoſe hardſhips have been, and how Angry ſoever the Gentleman here ſpoken of may be, he will find no unhandſome Treatment here, no unbecoming Language, nor any thing but what, as far as Juſtice to the Matter of Fact will admit, ſhall conſiſt with all the reſpect due to, and due from a Man of Honour.

But ſince there is a Neceſſity to ſpeak Truth, it muſt be ſpoken like Truth; namely, with Plainneſs and Freedom, and this the Colonel hopes the Gentleman he is to ſpeak of will bear from him, without any farther Apology.

The Diſpute of which this Tract is to give an Account, lies between Lieutenant General WILLS *and Lieutenant Colonel* BURSTON, *relating to the Accompts of the Regiment, in which they formerly ſerved*

ſerv'd together in Catalognia, *and elſewhere, and in which Colonel* BURSTON *Alledges and Inſiſts upon it, that he has received much Wrong, ſuffered much ill Treatment, and is to this time a very conſiderable Loſer; tho' at the ſame time it has been reported on the contrary, that he has Injur'd Lieutenant General* WILLS, *and he believes he ſpeaks within compaſs, if he ſays, that for Seven Years, in which this Caſe has been the Subject of Converſation, among the Gentlemen of the Army, and the Chat of the Coffee-Houſes, it has, either from the injuſtice of his Enemies, or the miſtakes of his Friends, been generally talk'd of to his diſadvantage.*

All this time the Colonel continued ſilent, bore with Patience the Misfortune of being Evil ſpoken of, and waited, believing a time would come when the Lieutenant General would, perhaps, be ſenſible of the Injury he had ſuffered, and would do him Juſtice. But in the Year 1714, *ſeeing no room any longer to expect Juſtice that way; he, tho' without any Clamour or Noiſe, and without any diſreſpect to Lieutenant General* WILLS, *made his Caſe known to Lieutenant General* CARPENTER, *now Lord* CARPENTER.

His Lordſhip doing him the Honour to approve his Conduct, and being convinced of the Injury done him, generouſly concerned himſelf, to Pacify Lieutenant General WILLS, *and encline him to an Accommodation of Differences: But this not ſucceeding, he then apply'd to the Duke of* MARLBOROUGH; *who, after having thoroughly examin'd, and conſidered his Caſe, did likewiſe approve his Conduct, and as a Teſtimony of his being alſo ſenſible of the Injury the Colonel had received, made him Lieutenant Colonel to Brigadier* BORR's *Regiment of Foot, nor could all the Oppoſition Lieutenant General* WILLS *made to it, in which he is aſſured, he uſed his utmoſt Intereſt, be able to prevent it.*

If his thus getting the Better of Mr. WILLS, *and his being reſtored to his Poſt, was the Occaſion of ſome uncommon Methods of Proceeding, with the Regiments afterwards raiſed, and they were not rais'd by Corps, as the Three Firſt Regiments were, and that by this means ſeveral Officers of great Experience, and long Service, remain'd unemployed, and in Half-Pay, when others of leſs Merit and Years were Preferr'd, he is very ſorry for it, but can no way be charg'd*

charg'd with being the Occaſion of it: And if making this Publick, ſhould turn any way to the Prejudice of the Army in general, or to any Gentleman in particular, the Blame muſt lye upon Mr. WILLS, *and not upon Colonel* BURSTON, *who, according to his Promiſe, made to the Duke of* MARLBOROUGH, *not to expoſe theſe Things, till driven to the laſt Extremity, has kept ſilence ſo many Years; till ſeeing no end of his Sufferings he finds himſelf oblig'd to this Publication in his own moſt neceſſary Defence.*

THE

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THE

CASE, &c.

IT being neceſſary to the true State of the following Caſe, that the *Collonel* ſhould give ſome Account of the various Tranſactions, in which he has ſerv'd his Country, in order to juſtify the Pretenſions he has made to the Honourable Title of an Old Soldier, or a Man of long Service: He is obliig'd to go back a little into the Hiſtory of his Life, as far as before the Beginning of the firſt War, which however, ſhall be ſo Brief as to tire no Body.

THE *Coll.* who being the Son of a * Clergyman, was deſign'd for the Church, and to that End, was Educated in the College of *Dublin*, has the Honour to ſay, that he became a Soldier

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* *His Father was Dr.* Daniel Burſton, *Dean of* Waterford.

dier by his Choice, not Neceſſity, and reſolving for the Army, quitted the College upon the Death of his Father, and trail'd a Pike under Capt. *Baskerville*, in the Royal Regiment of Foot, in the Reign of King *Charles*, *Anno* 16[illegible] and three Years after Purchas'd an Enſign's Commiſſion in Capt. *Trevor Floyd*'s Company, in the Regiment Commanded then by Coll. *Fairfax*; in which Station he continued to the Year 1687. So that he had ſerv'd an Apprenticeſhip in Arms before the Revolution, and loſt his Commiſſion by the Expreſs Order of the Earl of *Tyrconnel*, becauſe he was a Proteſtant, not being allow'd the Favour to ſell, tho' his Commiſſion had Coſt him 230 *l. Sterling*.

H e liv'd after this privately almoſt a Year, waiting an Opportunity to Embark in the growing Intereſt of the Prince of *Orange*, who was then impatiently Expected by the Proteſtants in *Ireland*; and being in the North of *Ireland*, when the News of the Prince's Landing came thither, he with one Enſign *Royden*, reſolv'd to get over into *England* whatever Hazard they run: Accordingly getting to the Sea-ſhore, they took an open Boat at *Dunacadee* and Landed at Port-*Patrick* in *Scotland*; from whence thro' Difficulties and Hazards, too many and too long to ſet down here being Taken and Impriſon'd at *Carliſle*, and oblig'd afterwards to many Diſguiſes and Artifices to Conceal themſelves, all the Country being Guarded in the Name of King *James*, and many Gentlemen intercepted and detain'd, they arriv'd in the *Weſt*, and join'd the Prince's Army at *Honiton*, near *Exeter*: where the *Coll.* immediately Entered himſelf Volunteer in Coll. *Talmarſhe*'s Regiment

ment of Foot, being one of the ſix *Britiſh* Regiments which were in the Service of *Holland*, and were brought over by the Prince.

The Revolution ſucceeding without Action, Mr. *Burſton* continu'd a Volunteer till the *March* following, when he was made Lieutenant to Coll. *Fairfax*, in whoſe Reigiment he had ſerv'd in *Ireland*; and who had Accepted of the Poſt of Lieutenant Coll. in the Lord *Caſtleton*'s Regiment of Foot, rais'd for King *William*. In this Regiment he ſerv'd thro' all the firſt War in King *William*'s Reign; in which he had the Honour to be Preſent at the paſſing the *French* Lines under the Duke of *Wirtemberg*, and at the Famous Siege of *Namur*, and never ſuffer'd any Reproach for his Behaviour; yet he had the Misfortune, for want of good Friends, to have no leſs than three Lieutenants of *Shorter* ſtanding in the Army than himſelf, be made Captains over his Head; beſides, Mr. *Wills*, who, *as if deſtin'd by Fate to be always in the Way of his good Fortune*, was in the ſame Manner made Major, when Coll. *Burſton* was Eldeſt Cap. of the Regiment. After the Peace of *Reſwyck*, the Regiment being Broke, he had his Fate with the reſt of the Gentlemen of the Army, and was ſome time out of Service; but the War being renewed in a little time, he was r[illegible]e Eldeſt Captain in Collonel *Thomas Sanderſon*'s Regiment of Marines, in which he ſerv'd ſome time on Board the Fleet, and afterwards in *Catalognia*. During this time he had a Brevet for Major, and was actually Major to Lieutenant General *Wills*, then Collonel of Marines, *and ſtill Doom'd to riſe before him*, at the famous Fight at St. *Eſtevan*, or St. *Stephens* in *Catalognia*.

THIS Account, tho' ſmall in Hiſtory, is Great in Fame, attended with Circumſtances which brought much Honour to the *Engliſh* and ſtruck more Terror into the Enemies, than Actions which have made much more noiſe in the World; and nothing reſtrains Collonel *Burſton* from giving a large Account of it, and of the Advantages which accru'd from it, to the Service and Intereſt of King *Charles*, now Emperor, but the Share himſelf had in it.

HOWEVER, tho' he is backward in any thing that may ſeem to repreſent him to Advantage, yet as it is abſolutely Neceſſary for the giving a full Account of other Things, to ſpeak of this Battle in Particular, he muſt be allow'd to do it Impartially; as to himſelf he needs no part of the Story to make good his own Character, the Certificate of Lieutenant General *Wills* himſelf, the Letter of the Earl of *Galloway* both annex'd to this Account, and the General's Knowledge of his Behaviour there, being more than ſufficient to him: The true Account of this Battle will alſo make it neceſſary to ſpeak of the reſt of the Service of the Year in which the Collonel acted under Lieutenant General *Wills*.

ABOUT the Beginning of *January* in the Year 1705-6 the Spring Campaign beginning at that Time, the *Britiſh* Troops in aid of King *Charles*, then call'd His Catholick Majeſty, were Quartered about *Lerida*; Lieutenant General *Cunningham* having at that Time the Command.

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The 22d of *January* the General Order'd Mr. *Wills*, then Brigadier, with a Detachment of 600 Foot to March to a Village call'd *Tamarette*, where *Cunningham*'s Dragoons were Quartered which was done, the Design being to ſtrengthen the Poſt on that ſide, where, it ſeems, they had ſome reaſon to Apprehend they ſhould be attack'd by the Enemy, who lay with a large Body of Men on that ſide the Country, and alſo to make Incurſions upon the Enemy.

The next Day this Detachment march'd farther on to another Village call'd St. *Eſtevan* or St. *Stephen*, taking with him 25 of *Cunningham*'s Dragoons under Captain *Matthews*, but the Village being too ſtrait to receive them, only 400 of the Foot and the 25 Dragoons enter'd the Village; the other 200, who were *Dutch* under Brigadier *Palms*, ſtaying 2 Miles ſhort for Convenience of Quarters. The ſame Day Lieutenant General *Cunningham* having ſome other Intelligence of the Enemy's Motion, and, as was ſuppos'd, expecting to be attack'd, advanc'd himſelf with 600 Foot more, and joyn'd his own Dragoons at *Tamarette*, and ſummon'd in the *Miquelets* to joyn him.

On the next Day, which was the 25th, about Noon, while the Officers at St. *Eſtevan* were all at Dinner, nine Squadrons of the Enemy appeared in a little Plain not above half a Mile from the Village among the Mountains, having a narrow Road leading from it to the Village, and paſſing between two Hills, ſo that it was no eaſy thing to attack us that way.

Our

Our Troops took the Allarm, and all our Men were under Arms in an Inſtant, and Mr. *Wills* who commanded, ordered Captain *Matthews*, with the Dragoons, to enter the Lane, and diſcover the Enemy, a Hundred Foot being detach'd to ſuſtain them, with Orders to poſſeſs themſelves of a ſmall Cottage and Garden-Plat lying on the ſide of the Way, and poſt themſelves there to defend the Paſſage, and prevent the Enemy advancing to the Village.

The reſt of the Foot were ordered to march up the Hill on the right ſide of the Lane, which lay directly between the Town and the Plain where the Enemy were. This Body march'd in ſix Columns, keeping as near to one another, as they could; with Orders that when any of the Collumns ſhould diſcover the Enemy, they ſhould beat the Grenadiers March as a Signal to the reſt, which was to be anſwer'd by the reſt, as well thoſe on the Hills, as thoſe in the Lane.

These Diſpoſitions were ſo well made, and the Orders ſo punctually executed, that at the very ſame Moment that our Dragoons enter'd the Plain, killing the Advanc'd or Videt Centinel of the Enemy, that very Moment our Infantry ſhew'd themſelves, and beat the Grenadiers March upon the Hills, and as all the Marines wore Grenadiers Caps, the ſeveral Diviſions look'd like the ſeveral Companies of Grenadiers belonging to particular Regiments, and the Enemy not doubting but there was a Regiment of Foot to every Company of Grenadiers, believed we had ſix Regiments of Foot there,

there, whereas we had but ſix Diviſions of 50 Men in a Diviſion.

This Stratagem had its full Effect, for the Enemy immediately remounted and march'd off in a great Hurry, leaving moſt of their Pickets and ſome Proviſions behind them; and which was ſtill more, their Infantry, who were in full March to joyn them, ſeeing the Retreat of their Horſe, halted, and afterwards march'd back alſo: We followed and kept Pace with them on the Top of the Hill, for near two Mile, frequently ſending down a Platoon or two to fire at them; but ſeeing no great Matter to be done that way, gave it over, and returned to the Village.

Lieutenant General *Cunningham* having Notice of what had happen'd, march'd with all ſpeed and joyn'd us about Midnight, ſo that we were then in all 1200 Foot and 250 Dragoons, with a confus'd Rabble of about 800 *Miquelets*, good Men enough and well enough arm'd, but under no Command, and obſerving no manner of Order.

Early the next Morning the Enemy alarm'd us again; their Body conſiſted of 4000 Men, Regular Troops, commanded by Monſieur *D'Hanfield*, an Experienc'd Officer, beſides a great Number of *Miquelets*.

Upon this Alarm Mr. *Wills* ordered Major *Burſton* to advance with 400 *Miquelets* only, with Directions to go up the Hill, and take Poſſeſſion of their former Poſts till the reſt of their Troops got to their Arms. He march'd indeed,

indeed, and had 400 *Miquelets* with him to the ſaid Poſts: But when Lieutenant General *Cunningham* and the reſt of the Troops came up, they found him there all alone; for as ſoon as the Enemy appeared, the *Miquelets* run all away from him to a Man, and made no Stop till they came to another Hill about a Mile off.

It is to be obſerv'd here, that as our Men march'd on the Top of the Mountains on one ſide of a narrow Valley, ſo the Enemy appear'd on the Mountain on the other ſide; the Valley lying between both Bodies, with this Difference only, that as the Enemy on their ſide of the Hill were naked and expoſed to us even to the Ground they trod on; ſo on our ſide there run along a riſing Ground parallel to the ſaid Valley, which was a kind of natural Breaſt-work to our Men; ſo that the Enemy could not diſcover them, except only from the Shoulders upward. It was upon this Breaſt-work that Lieutenant General *Cunningham* ſtepping up afterward to obſerve the Motion of the Enemy, received a Muſquet Shot in the Groyn, of which Wound, to the great Regret of the whole Army, he died the next Day.

The Platoons on either ſide pelted one another for ſome time, but the Situation prevented the Enemy attacking us, the Aſcent on our ſide being very ſteep: And as our Men ſtood in Cover, their Men muſt have been expos'd to our Fire, both in deſcending on their own ſide, and advancing on our's; ſo they contented themſelves with drawing up their whole Body in View that we might judge of their Strength,

which

which they hoped would terrify us, but they were miſtaken in that alſo.

During this Affair the *Miquelets* on both ſides made a great Fire after their manner, running and ſcampering about the Field, now this and then that Party alternately flying and purſuing, but to what purpoſe we knew not; for we never found any of them kill'd or hurt either on one ſide or other; and indeed it look'd more like a Parcel of Fellows playing at *Priſon Bais*, than like a pitch'd Battle between Soldiers that were in earneſt with one another.

In the mean time the Enemy had like to have ſurpriz'd us all: For Count *d' Hasfield* had detached 600 Grenadiers to attack us another way, and theſe Men taking a Bye-way among the Mountains, which we knew nothing of, were upon our right Flank before we had the leaſt Notice of them; and advancing directly upon that Place where Mr *Webb* with a Party of Lord *Shannon*'s Regiment was poſted, they drove him down the Hill to *Cunningham*'s Dragoons; and had not two of Mr *Webb*'s Men, who had ſtraggl'd from him, come running to Mr. *Burſton*, and given him Notice that the Enemy was juſt upon him, the Fate of our little Army had been the ſame.

Upon this Notice, Major *Burſton* advanc'd without waiting for Orders, and with 25 Files of Marines clamber'd up the Hill, which was very ſteep and high on our ſide, and met the Enemy, who were doing the like on the other ſide, and came up to them at the Diſtance of only 20 Paces.

The Enemy came on with great Fury, giving the Word to one another aloud, *Sans Quartier*, *Sans Quartier*, upon which seeing there was nothing to do but to fall on, he call'd to his Men, and said, *You must expect no Quarter*; *Lads*, *so a God's Name Fire at 'em*; and to give his Men their Due, they did their Duty, and behav'd bravely enough.

The Generals *Cuningham*, *Wills* and *Palms* were at this Instant all together on the Left, consulting upon the farther Dispositions of the Field, and seeing their Right thus suddenly and furiously attack'd, they immediately sent Supplies from several Quarters after one another; and the two first came in Person with what Speed they could, so that the Enemy, after about half an Hour's obstinate Fight was oblig'd to retire, leaving behind them about 350 of their Men kill'd upon the Spot, or wounded, among whom was a *French* Colonel who commanded them.

But this could not be done so soon, but that our Men who were at first out-number'd by about Five to One, suffer'd some Loss, and Major *Anerson* himself was left for dead among the Slain, having receiv'd no less than 13 Wounds, most of them being Stabbs and Cuts with the Bayonets of the Enemy, and had their main Body advanc'd in time and supported their Grenadiers, who, to do them Justice, behav'd very well, our whole Body might have been in Great Danger.

But

But to the great Wonder of our Generals, they continu'd drawn up on the other ſide of the Valley aforeſaid, firing pretty briskly by Platoons, but never advanc'd to engage our whole Body, and at length ſeeing their Detachment driven back, they gave it over, and march'd off, carrying abundance of wounded Men off with them; their own Accounts, publiſh'd at *Saragoſſa*, acknowledging that they loſt 1000 Men in this Action, leaving the Victory to our Men, who were not half their Number: All that we could ſuppoſe to be the Reaſon of this was, that they believ'd our Strength to be much greater than it was.

Our Loſs in the whole amounted to about 300 Men, among whom was Lieutenant General *Cuningham* kill'd, as before.

As to Mr. *Burſton*, he lay ſeveral Hours, as ſenſeleſs among the Dead, but being at length found and brought a little to himſelf, was taken up and carry'd to the Village, where he had his Wounds dreſs'd, but refuſing abſolutely to be carry'd away as Lieutenant General *Cuningham* was, was left to the Care of the Pariſh-Prieſt and a *Spaniſh* Barber, who uſed him ſo well, and took ſuch Care of him, tho' not pretending to ſo much Skill as the Surgeons, that in 18 Days, by the Bleſſing of God and their Kindneſs, he was able to be carry'd in a Chaiſe to *Lerida*, where he more effectually recover'd.

At the ſame Village the *French* Collonel of Grenadiers, who ſo deſperately attack'd us, ha-

ving his Thigh-bone broken by a Muſquet-Ball, and being in the Hands of the Surgeons, had his Leg cut off above the Knee, and dy'd in the Operation.

In *April* following, the Troops being Order'd to March to the Relief of *Barcelona*, Mr *Burſton*, though not thoroughly recover'd, march'd with the Regiment: And here he can hardly refrain mentioning the unaccountable Projects form'd for the Relief of that City, ſuch as Ordering 4000 Men, which was the moſt of our Army, to Break thro' 25000 Regular Forces Encamp'd, and Engag'd in a formal Siege, Things ſo Unſoldiery and Impracticable, that no other Account need to be given why they were not put in Execution, but that of a Deſcription or Plan of the Orders themſelves, to mention only Two of them (*viz.*) the firſt and the laſt.

The Earl of *Peterborough* having got clear of the *Spaniſh* Horſe, who to the Number of 4000 lay Encamp'd in the Plains of *Valentia*, and having a few Dragoons with him, ſent Orders to the Brigadiers *Wills* and *Palms* to join him with the Troops from *Lerida*, as above, in Order to the relief of *Barcelona*: The City was Beſieg'd by the Mareſchal *de Teſſe* with a ſtrong Army and a numerous Artillery, and King *Philip* being in the Camp, the City was very hard preſs'd: Here it was reſolv'd, which Brigadiers *Wills* and *Palms* only diſſenting, (who very well knew it to be impracticable) that our little Army ſhould Attempt breaking thro' the *French* Leaguer,

Pursuant to this wild reſolution, we were oblig'd to make the Attempt, however ridiculous,

ridiculous, and accordingly began to March the next Morning, and first we Climb'd up a Mountain oppoſite to the City, from the Top of which run a narrow Road deſcending to the Plains of *Barcelona*.

But here we were Order'd to ſtop ſhort, becauſe we found the Enemy poſted at a Houſe in the middle of that Road, and that at the End of the Lane they had caſt up a Redoubt, and had two pieces of Cannon pointed into the Lane or Road.

If we had maſter'd this Difficulty, as perhaps we might have done, we had ſtill a Plain of three Miles to march over in View of an Army of 25000 Men, where we were ſure to have our Numbers diſcover'd and to be Attack'd and Defeated by the unequal Forces of the Enemy, and if not, we had then the whole Army to break through before we could come at *Barcelona*.

This and other the like Projects coming to nothing, Mr. *Wills* and Mr. *Palms* propoſed that ſince his Excellency was ſo preſſing to relieve the King, that all our little Army ſhould be drawn together, and ſhould join the *Miquelets* and *Soumonteens*, who of themſelves propoſed to make a Body of 10000 Men; and with this united force to make one General Attack; but when this came to be put in Execution, thoſe 10000 ſcarce made up One Thouſand; ſo that at long run we contented our ſelves after the Fort of *Monjuick* was taken, with ſending 100 Marine Grenadiers under Captain *William Scott*, as a Guard to the Prince of *Heſs*, who in

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a half Galley forced their way to the City thorough two Ranks of the Enemy's Boats, which lay at Anchor to intercept any Relief by Sea: His Highness went in order to bring the King out, but his Majesty absolutely refused, chusing rather to run the same Fate with the City.

However, we continued here for several Days amusing and allarming the *French*, Marching and Countermarching, and our *Miquelets* making great Fires in the Mountains, blowing up Powder, firing Rockets, and the like, as Signals of relief at Hand, and as if we had some great Enterprize in View, and were able to undertake something very Considerable.

Nay so bold we were, I had almost said impudent, that the *English* and *Dutch* Marines and *Gorge*'s Regiment of Foot, Encamp'd upon a Height in full View of the Enemy's Army, and so near that our Out-centinals and theirs could talk together; but the *French* at that very time Storming *Montjuic*, the strong Fort that cover'd that City and making themselves Masters of it before our Faces, we were oblig'd to move off, tho' we did it as silently as possible too, and, in the Night, we march'd towards *Tarragona*, but were deny'd Entrance, till after our Fleet appear'd, and then they thought better of it and open'd their Gates.

After this we marched to the Sea-side, where my Lord *Peterborough* had provided several half Gallies and other Vessels to carry us to *Barcelona* by Sea, so to strengthen the Garrison who were now hard put to it, but this was impracticable also, the Enemy having one Man

of War riding within Shot of the Shoar, and another in View, beſides ſeveral others at Hand, and their whole Squadron in the Road before the City; at length all theſe out-of-the-way Adventures were put to an End, and the City which would inevitably have been taken in a few Days more, was effectually reliev'd by the happy and timely Arrival of the *Engliſh* Fleet under the Command of Admiral *Lake*, about the eighth of *May*, upon Sight of which, the Men of War above ſtood away with all the Sail they could make, leaving the Coaſt clear to us, and making Signals to their Fleet to do the like, which they did with all the ſpeed poſſible.

The Coaſt being clear, we immediately ſail'd under Cover of our Fleet, and were the firſt Troops that Landed at *Barcelona*, a Detachment of us forthwith entring upon Duty in the Outworks and advanc'd Poſts.

A few Days after this, the Enemy being march'd away, we were order'd into Garriſon at *Gironne*, and the Earl of *Peterborough* Embark'd on Board the Fleet for his Expedition to *Alicant*, contrary to the Advice of the old Officers, who were for marching directly to *Madrid*, and joining the Earl of *Gallaway*, then on full march that way: In this Voyage his Lordſhip refuſed to take the Marines with him they were ſo tatter'd and ragged, and indeed by long Service and want of Cloathing our Men were almoſt naked.

We continued at *Gironne* till Affairs took another turn in *Spain*, namely till the Enemy re-

cover'd

cover'd their Spirits and were able to Act upon the Offenſive again, I mean about four Months before the fatal Battle of *Almanza*; and here it is neceſſary to do juſtice to the Marines, who, notwithſtanding the Service they had gone thro' as before, and the Condition they were in, yet thought it a great Misfortune to them that they ſhould not have the Honour to be drawn out into the Field, and particularly to ſerve under the Earl of *Galloway*, who had then the Command of the Army, and foreſeeing that a Battle was at Hand, which would decide the Fate of *Spain*.

Upon theſe Views the Officers unanimouſly reſolv'd to make a Tender of their Service, and accordingly Major *Burſton* drew up the following Memorial in the Form of an Addreſs which they all aſcented to, and having ſhewn it to Brigadier *Wills*, and he liking it alſo and giving his Approbation of it, Lieut. Collonel *Palliſer* was prevail'd with to attend the General the Earl of *Galloway* with it, who was then at *Valentia*, who did ſo, and preſented it with his own Hand. *The Memorial is as follows.*

To His Excellency the Earl of GALLOWAY *Captain General of Her Majeſty's Forces in* Spain.

The Memorial of the Marine Officers,

Humbly ſheweth,

WE humbly beg Leave to repreſent that we are mighty ambitious of, and do with all Submiſſion intreat the Favour to ſerve more immediately under Your Excellency's Command

mand this enſuing Campaign, and that we may have the Honour to join the Army in *Valentia*, the Cauſe which occaſion'd our being flung in here being now removed.

My Lord, Our Men are well inur'd to the Country, and both they and us are very deſirous of further Service; and ſince in all Probability the Fate of *Spain* ſeems to depend on a Battle, we earneſtly intreat Your Excellency to grant us the Honour of partaking in it.

My Lord, At the firſt Siege of *Barcelona* we or our Men never receiv'd one Penny; and during the laſt, we ſubſiſted our ſelves and Companies for five Weeks; and that we might not be wanting to the Service, we bought our ſelves Horſes and Mules, and all other Neceſſaries for a Camp, in proportion to our ſeveral Poſts which we have and do ſtill maintain, though that five Weeks Subſiſtance has never been repaid, nor any Forrage or Baggage-Money given us; notwithſtanding which we are (excepting the Want of Tents) in all things prepar'd, and at all times ready to take the Field, when-ever Your Excellency pleaſes to command.

We do aſſure Your Excellency, we have acquainted and ſhew'd our Brigadier this our humble Remonſtrance, and that he is very well ſatisfied we do this with no ſiniſter Intentions, but that it is purely owing to our hearty Deſires of ſerving her Majeſty, under your Command, to whoſe mature Conſideration we entirely ſubmit, humby intreating Your Excellency to accept in good Part this Offer from your Excellency's

Dutiful
and moſt Obedient
we the under-ſubſcribed
Officers of Marines.

Lieutenant-General *Seymour*'s Regiment.

Henry Walker, Capt.
Thomas Lethule, Capt. Lt.
John Bush, *James Engliſh*, ——*Dame* } Lieutenants.

Lieutenant-General *Holt*'s Regiment.

William Scott, *Hugh Wilſon* } Lieutenants.

Colonel *Lutterill*'s Regiment.

William Pool, *William Parlett*. } Lieutenants.

General *Wills*'s Regiment.

George Burſton, Lt. Coll.
David Ward, Major.
Walter Palliſer, Lt. Coll.
Charles Daviſon, *William Daviſon*, *Edward Hutchenſon*, *George Dobſon* } Lieutenants.

Brigadier *Bor*'s Regiment.

Richard Cobbam, Lt. Coll.
Humphrey Cory, *James Steuart* } Captains.
Francis Sullivant, Lieutenant.

Lord *Shannon*'s Regiment.

Sir *John Webb*, Lt. Coll.
Thomas Powell, Lieutenant.

THIS Offer was of a Nature no General would refuſe, and my Lord *Galloway* appear'd exceedingly pleas'd with it, and preſs'd King *Charles* to give us leave to join the Army, but his Majeſty abſolutely refus'd, Alleging that his faithful *Catalans* would be expos'd; whereas Brigadier *Wills* had by Letters given a juſt Account of the Condition of the Enemy's Forces on that ſide of *Rouſſillon*, and that they were in no Poſture to Attack us, and that not only the 1200 Marines (for that was our Number) but 2000 of the other Troops might have been very well ſpar'd, which had it been done, ſuch a Reinforcement of Old diſciplin'd Men, as we were, might have given a different Turn to that fatal Action, but it was otherwiſe determin'd.

AFTER the Battle was over, an Account of which it is not to the Purpoſe to enter upon here, my Lord *Galloway*, with ſome of the Cavalry, having loſt all their Infantry, was driven into *Catalognia*, when piecing together his broken Regiments, we were Order'd to join with them, as were alſo the other Troops, and which we did at *Lerida*, where the whole Army encamp'd for ſome time.

BUT it was not the Fate of the Army to have much reſpite; The Enemy making uſe of the advantages which Victory had given them, advanc'd into *Catalognia*, and the Duke of *Berwick*, who was advancing with a ſtrong Detachment to relieve *Thoulon*, having an Account that the Siege was rais'd, returned to their Army.

UPON this, the Earl of *Galloway* was oblig'd to quit his Camp, and retire towards *Barcelona*,

and for the ſecuring *Lerida*, he put our Marines with my Lord *Tyrawly*'s Regiment, one *Portugeze* Batallion and two *Dutch* into that Place to ſtrengthen the Garriſon.

HERE we were immediately Inveſted, *viz.* 10th of *Sept.* N. S. and the Duke of *Berwick* reſolving to puſh the Siege on with Vigour, open'd the Trenches the Night betwen the 2d. and 3d. of *October*; having brought forward their Approaches and rais'd their Batteries with their uſual Expedition, and Batter'd us with great Fury; they Lodg'd themſelves by the 14th at the Foot of the Breach, we Sally'd to Diſlodge them, but without Succeſs, in which Attempt Major *Rainsford* of *Tyrawly*'s Regiment loſt his Arm.

MR. *Burſton*, who had formerly ſerv'd as Major, was then but Lieutenant Collonel, had a Breviat for Collonel, and actually ſerv'd as as Collonel at this time; and to do juſtice to Mr. *Wills*, it is allow'd that it was with his Conſent and at his Requeſt.

THE *French* carrying on their Attacks, and Brigadier *Wills*, obſerving during the Action above, that great Numbers of the Towns-People crowded up to the Cittadel; and Apprehending ſome Treachery, ſent Collonel *Burſton* with 60 Men to reinforce the Garriſon there, and ſecure the Place, with Orders to keep a ſtrict Guard, and not to ſuffer any of the Towns-Men to enter.

HE does not concern himſelf here to give a Journal of this Siege, but to relate ſuch Particulars, as eſpecially concern his own Affair, and

that

that of the Marines, in which he serv'd; besides the Account of the Siege was made publick in the ordinary News.

THE Prince of *Hesse* had the Command as Governour of the Place; who finding himself hard press'd, the Garrison extremely Fatigu'd, the Batallions very thin, and the Men that were left, very Sick, call'd a Council of War to consider of what was to be done. At this Council of War, which consisted of all the General Officers and Collonels, the Engineers and Store-keepers were Summon'd and Examin'd, as to the State of the Garrison, and of the Works.

THE Engineers represented that there were two practicable Breaches made by the Enemy, in each of which they might mount 20 Men in Front, and that it was believ'd they would make a general Assault in two or three Days; That it would require 500 Men to Defend each Breach, and 500 more for a Corps de Reserve to sustain those which should be most Oppress'd.

THE Store-keepers gave an Account that they had no Provision left, but of Meal, Water and Rice, and that of this they had only sufficient for ten Days at short Allowance.

AND which was still worse, when the Collonels came to give an exact Account of the Strength of their particular Regiments, it appear'd that there was not above 600 Men in the whole Garrison fit for Duty, and even those extremely Fatigu'd and Spent by continued Service.

THIS

THIS being the true State of the Place, it was the Opinion of the whole Board, except the Prince of *Heſſe* and the *Portugueze* Collonel, that it was time to beat the Chamade, every Man Signing to this Vote, and giving their Reaſonsfor it in Writing; but the Prince and the *Portugueze* Collonel refus'd to Sign, though they acknowledg'd the Place was not Tenable.

JUST as the Council of War was broke up, Collonel *Webb*, who Commanded in Fort *Guardin*, made a *Feu de joy* three times: This Fort *Guardin* lay at the other End of the Town, and had not been attack'd by the Enemy, tho' our Communication with it was cut off by them: This ſurpriz'd us all, and we return'd to the Council of War, where it was unanimouſly agreed to delay beating the Chamade, notwithſtanding the Extremity we were reduc'd to, for two or three Days; and Order was given to fire a Shell into the Fort with a Letter encloſed to Collonel *Webb*, with Directions how to make Signals for our Information; this he obſerved, giving us to underſtand that the *Palatine* Troops were landed at *Barcelona*, and were on their march to join my Lord *Galloway* in order to relieve us.

WE waited 2 Days more after this, but then finding his Intelligence falſe, and that the Enemy had a large Mine ready to ſpring under the Curtine of the Place, Mr. *Wills* ordered us to beat the Chamade, the Prince of *Heſſe* ſtill oppoſing it, and alledging we were no more than a Court Martial, and that without his Ratification, it was of no Validity.

How-

However, ſoon after, we ſent out Hoſtages, Lieutenant Colonel *Kane* of the Dutch Troops, and Major *Walker* of the *Engliſh*; the Enemy ſent to us the Mareſchal *de Toſs*'s Son, a Colonel, and a Major, and Brigadier *Withers* of Lord *Tyrawly*'s Regiment, was order'd to be ſent out with our Demands: But being Night and bad Weather, he refus'd to go till Morning, tho' he had before earneſtly deſir'd and even ſollicited to be ſent. It is true, he had been ſick all the Time of the Siege, and was not then well recover'd.

Brigadier *Wills* ſent the Duke of *Berwick* an Account of what happen'd, and deſir'd Time till Morning. The Duke return'd an obliging Anſwer, *viz.* that he would ſend his own Chariot up to the Caſtle for him, but as to granting more Time, it was Unſoldierly, and not to be expected. However, Mr. *Withers* continu'd obſtinate, and after ſeveral Meſſages to and from the Enemy, the Duke ſent poſitive Orders to his Hoſtages to return. So near we were to be all ruin'd.

At length, when the Hoſtages were juſt going to be exchanged, ours being brought to the Foot of the Breach, and theirs to the Head of it, Brigadier *Wills*, all the Officers applying themſelves to him, ſent the Duke Word, he wou'd ſend Two Colonels out to him, to which the Duke conſented.

Baron *Leiffendale*, and Colonel *Burſton* were the next appointed for this Work, but not perfectly agreeing with the Enemy's Demands, they return'd

return'd for new Inſtructions: In this Inſtant the Baron's Nephew, a Captain in his Regiment, dying of his Wounds, the Loſs ſo afflicted the Baron, that he declared to Mr. *Wills* he could not act, and ſo we had another Difficulty: The whole Weight of the Treaty then fell on Colonel *Burſton*, who having a full Power for what he did, had the good Fortune to finiſh the Capitulation to the Brigadier's Satisfaction, as is acknowledg'd in his Certificate annex'd to this Work, and alſo in my Lord *Galloway*'s Letter to the Secretary of State.

We had another Difficulty ſtill to get over, and that was, about who ſhould ſign the Capitulation; for the Duke of *Berwick* finding the Prince of *Heſſe* wou'd not ſign it, wou'd not allow that the Duke of *Orleans* ſhould be deſir'd to ſign it; but that if only Brigadier *Wills* ſign'd, then only, the General Officer commanding in the Trenches for that Day to ſign.

This was a thing of great Conſequence, and oblig'd Mr. *Wills* to go to the Prince, and expoſtulate with him upon the dangerous Circumſtances we were all in; and after a great deal of Teazing and Perſuaſion, he prevail'd with the Prince to ſign, upon giving him a Certificate that it was no way derogatory to his Honour.

Colonel *Burſton* having thus got the Prince of *Heſſe*'s Hand to the Articles, went immediately out with them, and was admitted to the Duke of *Orleans*, now Regent of *France*, who alſo ſign'd them, ſaying with an Air of Gayety, that tho' he had not given his Conſent to our carrying

carrying away ſo many Pieces of Cannon and Mortars, yet he would give them to his Couſin the Prince of *Heſſe*; and thus the Place was ſurrender'd the 12th of *November*.

There was in this Capitulation one uncommon Article, and which ſhew'd, that, conſidering our Condition, we ſtood up to the beſt Terms that could be granted; for beſides marching out with 12 pieces Cannon and Mortars, we abſolutely refuſed any cover'd Wagons; and inſiſted that all the Deſerters ſhould march out Bare-fac'd, under Arms with the other Soldiers, and tho' their Number was no leſs than Eighty, and among them ſome Officers, yet with ſome Difficulty the Duke of *Berwick* conſented to it, with this Expreſſion when he yielded to it, *Well, be it ſo then, they that have been Rogues to us will be Rogues to you.*

The Capitulation was exactly and honourably complyed with by the *French*, except their arreſting Brigadier *Wills* in Repriſal for Brigadier *Chivers*, taken by Sir *Charles Hotham* at *Denia* in *Valentia*.

Thus the Campaign ended, and Colonel *Burſton* was ſent to *England* to manage the Affairs of the Regiment, a Service in which, though he acted with the ſame Fidelity, Candor and Application, yet he had not the ſame Succeſs; being not able to pleaſe thoſe whoſe Intereſt too much interfer'd with his Duty; and it is the Part of his Conduct, which is the principal Occaſion of this Publication, and which he finds himſelf oblig'd to ſet in a clear Light, that the impartial Part of Mankind may judge between

him and the Lieutenant General, who he has all along ſerv'd faithfully, and has purſued his Intereſt more than his own.

He arriv'd in *England* the beginning of *April*, 1708, and placed himſelf at *Canterbury*, that being the General Quarter of the Marines, and therefore the proper Place for carrying on the Buſineſs of the Regiments, ſuch as Shipping off or Embarking the Recruits, the Clothing and Neceſſaries for the Service.

Here he acted as above with the ſame Fidelity and Vigour, ſpeaking with reſpect to the different Services, for Lieutentant General *Wills* his Intereſt, as he had done in *Spain* for the Intereſt of his Country, but with quite different Succeſs; for there he had the Juſtice and good Fortune to be accepted, and to have his Services approved and rewarded. But here juſt the contrary, Namely, to be treated both unkindly and unjuſtly, as will appear by the following Account.

Here he endeavour'd as far as in him lay to ſerve General *Wills* as above, who had got clean by his particular management in that Place, the Sum of 5605 *l.* 6 *s.* had not the Clothier broke andcheated him of above half this Sum; as to the Captains they gain'd upwards of 50 *l.* each Year, more than in any other Regiment, by the ſame Dilligence of Mr. *Burſton*, for he not only writ their Muſter Rolls, but kept the Books of Embarkations, and Diſembarkations of every Company, and in a word did all their Drudgery for them. He furniſhed likewiſe the Men upon their Embarkation, with Neceſſaries, commonly

call'd

call'd *Sea-Stores*, and notwithstanding the said Goods were bought with his own Money, he so contriv'd Matters, that the Captains got by each Man's Embarkation the Sum of [illegible] and his own Gains amounted to only the Sum of 3 *l.* 6 *s.* 8 *d.* it is true, in Case the Soldiers dyed or deserted before their Sea Pay could make good the *Sea Stores*, then the Loss fell upon the Captains; which he however could not help: For all this, he was, generally speaking, six Months out of his Money; and very often Ten or Twelve Months, and to this Day there is a round Sum due to him, for Goods delivered in the Years, 1712, and 1713.

IT is to be observed here, that while Colonel *Burston* lived at *Canterbury*, he kept [illegible] Goods [illegible] the Regiment in his House, and upon an Embarkation, he or his Wife saw them pack up in a Cask; the Officer, or at least one Sergeant, who was to go with the Detachment being always present; at length, upon his Removal to *London*, which was in the beginning of the Year 1712. he gave the remainder of the said Stores, to the Care of Lieutenant *William Dawes*; and did moreover send him from *London*, 200 Pair of Shoes, 200 Pair of Stockings, 200 Shirts, 200 Cravats, who for the better conveniency of delivering them out, placed them in a Corner of the General's Store-Room, and from this Accident, some Captains upon breaking the Regiment, carried Matters so maliciously as to inform General *Wills*, that those Goods were certainly his own, and so forward they were to back their Information that they Voluntarily consented, or were forc'd to pay him, Mr. *Wills*, for the very

Goods which had been delivered to their Disbanded Men, to the 24th of *October*, 1713. notwithstanding Colonel *Burston*, told them at a Meeting at the *Red-Lyon Tavern* in *Canterbury*, that the said Stores were not Lieutenant-General *Wills's*, but his own proper Goods, and bought with his Money, adding expresly, that *Whatever they had paid him was in their own wrong*. That they no doubt might dispose of their own Money as they pleas'd, but that for his part Lieutenant *Dawes*, (*then present*) had paid him as had been customary to the 24th of *October*, 1713. and for what remain'd due since that time, he not only expected Payment, but would be paid.

THIS Action of theirs (as they it seems design'd it should) so far inflam'd Mr. *Wills* at that Juncture, that he from that time entertain'd a Jealousy of Colonel *Burston*, as if he had been concerned in every thing relating to the Clothier who had cheated him, tho' he had not the least Pretence for such a Suggestion.

QUICKL after this Mr. *Wills* pretending to believe himself wrong'd as above, Commenced a Suit in *Chancery* against Col. *Burston*, joyning him with *Robert Peters*, the Person who had cheated him in the Clothing, *Peter Porter*, Lieutenant *William Dawes*, and some others, who to this Day the Colonel does not know.

THE Three first cast him fairly, and Colonel *Burston* had cast him also, notwithstanding he was so careful of his Credit, as to strike out several harsh Clauses in his Bill, in mere concern for his Character, had he not been im-

posed

posed upon by a Letter written to him, dated from *White*'s Chocolate House, wherein it was affirmed positively, that the General was present at the Writing of it, and that it was written by his Order, and assuring the Colonel, that if he would go to Mr. *Chambers*, the General Solicitor, and answer a few reasonable Questions, all Proceedings should be stop'd.

IMMEDIATELY upon the Receipt of this Letter Colonel *Burston* went according to the Orders Inclosed to Mr. *Chambers*, and made Answer to those Interogatories, without the Knowledge or Advice of Mr. *Stanwick* his own Solicitor; and to this false and inconsiderate Step the Loss of his Law Suit was intirely owing; but so intire a Confidence Colonel *Burston* had in Mr. *Wills*, that he made no doubt, but according to the Import of the Letter, the Law Suit would end, and Reconciliation be made between him and the General.

IT is true, that even this Decree was so doubtfully expres'd, that nothing could have been recovered upon it; nay, the General was so sensible of it, that he made Application afterwards to the Lord Chancellor *Cowper* for another, and fuller Decree, but was rejected, upon which he has been informed some high Words pass'd between them.

DURING this *Chancery* Suit, General *Wills*, in all Companies wherein *Burston* was mention'd, rail'd at him most plentifully, exposing all the Submissive Letters he had written to him, and turning them into Ridicule; in short, nothing the latter could do to regain his favour, had

any

any Succeſs; but was rejected with the utmoſt Contempt, and the Colonel treated in a manner ſcarce fit to mention; nay, even to ſuch a length did Mr. *Wills*'s Paſſion carry him, as to tax Colonel *Burſton* and Mr. *Potter*, for forging his Hand to an Aſſignment, relating to the Regiment, Dated the 19th of *June*, 1709. and ſtating the Off-reckenings to the 14th of *April*, 1710.

To explain this Matter fully, it muſt be obſerved, that this was an Aſſignment left by General *Wills* in Mr *Potter*'s Hands, with Blanks to fill up, as Clothing ſhould be wanting. That the leaving Aſſignments in that manner was no new thing, but a common practice with Colonels, the whole Army can teſtify; Col. *Burſton* wanting Clothing for the Men that Year, apply'd himſelf to the Agent, (the General being then in *Spain*) who told him of this Aſſignment, by Virtue of which he took Clothing barely neceſſary for the Service, to prevent Complaints from the Men upon their Landing. With the Management of this Aſſignment, Mr. *Wills* was extreamly ſatisfy'd, upon his return from *Spain*, and acknowledged it one Day at the General's Houſe, Mr. *Taylor* of the War-Office, Mr. *Peters*, Mr. *Potter* and *Burſton* preſent; but afterwards *upon Mr.* Peters's *failing*, a Law Suit Commencing, as above, Mr. *Wills* had ſo far forgot himſelf, as in all Companies to mention this *Forgery as he call'd it*. Nay, even his Paſſion he believes went ſo far, as in his Declaration to accuſe Mr. *Potter*, and *Burſton* of that Vile Practice. He alſo enter'd Caveats in Sir *Roger Meoſton*'s Office, againſt the Payment, but ſince one Mr. *Colebrook*, a

Banker

Banker in the City, in whose Hands these things were lodg'd, having shew'd him the said Assignment, he has consider'd better, and declin'd that Part, his own Hand staring him full in the Face.

Another Assignment, Dated the 28th of *Nov.* 1709, and which takes up the Off-Reckonings to the 25th of *August*, 1711, was intrusted to General *Wetham*, and likewise that Dated the 1st of *November*, 1710, taking up the Off-Reckonings to the 24th of *April*, 1712, the first of these upon Mr. *Wetham*'s being order'd Abroad, he delivered to Colonel *Burston*, *Potter* being present) which he took with him to *Canterbury*, from that Day to this, having never read or looked into it; and he solemnly declares, he never read one Word of it, or look'd into it, except that as it lay open on Mr. *Wetham*'s Table, he perceived several Blanks in it were unfill'd up; sometime after his being at *Canterbury*, *Potter* writ to him for the said Assignment in order to get it passed the Cloathing Board; and *the Inquisition* in *Tax-street*, at that juncture being very troublesome, and he believing it for General *Wills*'s Interest, he sent the same to him accordingly, he believes this was the first Marine Assignment that had passed that Board, and neither Agent or Clothier could get it done till he came to *London*, and even then he owns all the Address they were Masters of, was but little enough to get the same pass'd, that he acquainted my Lord *Shannon* with the Method, who very well approved of it, nay, farther, Mr. *Peters* will make Oath, that they both acquainted Mr. *Wills* himself, who was just

return'd

return'd from *Spain*; and that he was pleased with the Management, appears plain by his Combining afterwards with Mr. *Peters* the Clothier, to pass a Subsequent Assignment, amounting to the Sum of 4333 *l.* 9 *s.* 4 *d.* And here it will occasion some Mirth, to observe how far Mr. *Wills* himself was Confederate with Mr. *Peters*, in the Cheat which the latter play'd him, for he not only left with Mr. *Peters* the first Assignment, which Colonel *Burston*, as aforesaid, by his Address got pass'd the Clothing Board, but he likewise Trusted the said *Peters* with the latter to get it pass'd the same way, which *Peters* did, and when he had got the other pass'd, Sold them both, and ran away with the Money: By this breach of Trust, defrauding Mr. *Wills* of all the Profits, of the two said Assignments, besides 100 *l.* which Mr. *Wills* had lent him out of his Pocket, to enable him to furnish the Clothing for the Regiment, to all which Proceedings Colonel *Burston* was an entire Stranger, and utterly denies that he had, or is to have hereafter, any Gain, or Profit by the Sale of the two said Assignments, or in any other Affair, with either Clothier or Agent, except the Three Hundred and Eighty Suits mentioned in the Account.

'Tis scarce worth while to take notice here of a Malicious and Scandalous *Chancery* Suit, commenced against Major *William Dawes* and Colonel *Burston*, by Major *Williams* and *Davison*, or of their Clamour and Dinn made in Coffee-Houses, *&c.* for Seven Years past, and upwards; this Suit, together with all their many Objections will appear as Litigious, Vexatious,

and

and Unjuſt as their Appeal to the laſt Commiſſioners, in relation to a Fraud, (as they term'd it) committ'd by the ſaid *Dawes* and Colonel *Burſton*, relating to 800 l. and upwards paid to Mr. —— *Hebday*, which is commonly call'd *Dunkirk* Money; at the hearing of which Tryals they had by the way of Triumph (before hand) perſwaded Mr. *Wills* to be preſent; but to their great Mortification, they were ſo miſerably baffled, that they were forced before the Commiſſioners (Mr. *Wills* ſtill preſent) to own themſelves in the wrong, and that the Charge of that *Dunkirk* Money was juſt, as all the other Charges are, and will appear to be wherein Colonel *Burſton* is concern'd.

WHO now preſents you with an Abſtract of Mr. *Wills*'s Gains, (whether Exorbitant or not, muſt be referr'd to Time, and proper Judges) great Part of which Profit is owing to Colonel *Burſton*'s Managing things for him: If the doing this proves any prejudice to Mr. *Wills*, or to the Army in general, he only is to be thanked for it, who by ſo long a Proſecution for a Trifle, has driven his Friends to the Neceſſity of making thoſe Truths publick which might have been Concealed.

Here follows an Account of what General *Wills* got by his Regiment, during the time he was Colonel of Marines, excluſive of his Perſonal Pay, and of what might be got by Commiſſions which amounted to, at or about ——1500 *l.*

On or about the 17th of *January*, 1705, my Lord *Shannon*, by Virtue of a Power from Major

General *Wills*, did contract with Mr *Robert Peters*, Clothier, on Account of the Off-reckonings, for a First and Second Clothing, which Off-reckonings did amount to the Sum of —7428 *l.*

THE next Assignment bears Date the 20th of *November*, 1707, the Off-reckoning of which amounts to the Sum of —5159 *l.*

NOW out of these two Assignments Mr. *Robert Peters*, the Clothier, paid to Colonel *Pownal*, in part of Payment of General *Will's* Commission, the Sum of —1800 *l.*

BESIDES a Debt (said to be paid) contracted in Colonel *Thomas Saunderson's* time, amounting to the Sum of — 800 *l.*

MR. *Potter* paying to General *Wills* for Agency, Four Hundred Pounds, by which Method, General *Wills's* Commission cost him not a Groat —400 *l.*

THE next Assignment bears Date the 25th of *August*, 1709, Payable to Mr. *Robert Peters*, for — —1498 *l.* 8 *s.* 0 *d.*

THE next 28th *Nov.* 1709, payable to Ditto — — } 4952 *l.* 12 *s.* 9 *d.*

THE next 1st *Nov.* 1710, Ditto — — } 2475 *l.* 11 *s.* 0 *d.*

THE

The next *May* 20. 1712, Ditto	2433 *l.* 9 *s.* 4 *d.*
By these Four Assignments, General *Wills* gain'd Great Sums, *viz.* by that Assignment, bearing Date the 25th of *August*, 1709, the Sum of	566 *l.* 0 *s.* 0 *d.*
On Ditto 28 *Nov.* 1709,	1852 *l.* 12 *s.* 9 *d.*
On Ditto — Ditto 1710,	752 *l.* 15 *s.* 0 *d.*
On Ditto — 20 *May* 1712,	2433 *l.* 9 *s.* 4 *d.*
Total	5604 *l.* 17 *s.* 1 *d.*
Money paid to Colonel *Pownal* by *Peters*	1800 *l.*
And the Money for *Peters*'s Agency	409 *l.*
General *Wills*'s Profits are together	7804 *l.* 17 *s.* 1 *d.*

An Exact Account of the Numbers of Serjeants, Corporals, Drummers, and Private Men, of Lieutenant General *Wills*'s Regiment of Marines Disbanded at *Canterbury*, in *December*, 1713.

	Serj.	Corp.	Drum.	Cent.
General's own Company,	4	2	—	49
Lieut. Colonels,	2	3	2	46
Majors,	3	4	2	31
Saunders,	3	2	2	39
Wares,	3	3	—	44
W. Paliſers,	3	2	2	47
W. Paliſers,	3	2	2	46
Daviſons,	3	4	2	36
Midfords,	3	3	1	43
Scots,	2	3	2	33
Maſons,	2	3	2	40
Mohans,	4	1	2	39
	35	32	19	487

The Regiments Complement by the Eſtabliſhment, and for which Number the Aſſignment is computed from the 25th of *June*, 1713, to the 24th of *April*, 1714, is

Serj.	Corp.	Drum.	Cent.
48	48	24	1136

	Serj.	Corp.	Drum.	Cent.
Out of which Deduct the Number really Disbanded as above —	35	32	19	487
Difference—	13	16	5	649

THE

The Off-reckoning of the Men, disbanded, Serjeants, Corporals, and Drums, amounted to, from the 25th of *June*, 1713. (to which Times the Off reckonings were regularly assign'd) to the Times of their Disbandment, *viz.* —— 1131 3 2

Out of which deduct the Foundage —— 154 8 6

The Remainder is 976. 14. 8 which was actually paid General *Wills* by the disbanding Commissioners in *London* as by Receipt of the 24th of *April*, 1713.

The most he paid of this to the Men of all Sorts at *Canterbury*, in lieu of Clothing, was about —— —— 300 0 0 300

So that he profitted by this —— 976 14 8 676

Which brings me to speak of his last Assignment, pass'd by the late Honourable Commissioners for Stating the Debts due to the Army, which Assignment was made in one Mr. *Wilson*'s *Name*, a Woollendraper in the *Strand*, without his Knowledge or being any ways privy to the same; it bears date the 25th of *June*, 1713, and takes up the Off-reckonings to the 24th of *April*, 1714. Note, that after the Regiment was disbanded, not one pair of Shoes nor any manner of Clothing whatsoever was made or deliver'd, neither had this Assignment pass'd the Clothing Board, as appears by Letters and Certificate,

Certificate, bearing date the 7th of *March*, 1714. which was upwards of 14 Months after the Regiment was disbanded, the Assignment amounts in the whole to the Sum of 3130 0 0

Deduct thereout what was paid him on Account of Off-reckonings from the 25th of *June*, 1713. to the disbanding Commissioners as he has pray'd in his *Memorial*, that Sum being —— —— —— —— 976 14 8.

Remains more which Mr. *Wills* will gain by this Assignment —— 2153 5 4

Paid him by Colonel *Burston* 707 10 0

By a Voluntary Gift of 12 *l. per Ann.* given by each Captain of the Regiment, from the date of his Commission to Disbandment, amounts to the Sum, or thereabouts —— 1056 0 0

Besides the Profits aforementioned, Ten Captains at Disbandment paid Mr. *Wills* about 50 *l.* each: Whether Voluntarily or no I shall not pretend to determine, but I have heard some of them say, that they would Petition the Commissioners to be reimburs'd the said Money. Now Mr. *Wills*'s pretence to it was occasioned by some Informations, given about the Sea Store, which Colonel *Burston* furnished the Men upon their Embarkations: This In-

In-

formation was accidentally owing to Lieutenant *Dawes* (after Colonel *Burſton*'s departure from *Canterbury*) laying ſuch Stores, as he left to his Care, and all other he ſent him afterwards from *London*, in the General Store-Room, as is obſerved above, for the better Conveniency in delivering them out 500 0 0

Found in the Store-Room at *Canterbury*, 300 compleat Mountings or upwards, part of which was ſold by Major *Scot*, to Colonel *Green*, a Clothier, and part ſent to Cloath his Regiment in *Ireland*, which at 40 *s. per Suit*, the loweſt Computation amounts to 600 0 0

There was likewiſe in the Store-Room 100 pair of Shoes, at 3 *s.* 6 *d.* each, 100 pair of Stockings at 1 *s.* each, 100 Shirts at 2 *s.* 6 *d.* each, which Mr. *Wills* ſeiz'd, altho' they belonged to Colonel *Burſton*, they amounting to the Sum of —— —— 38 15 0

All which Articles put together makes General *Wills*'s Profits amount to 13237 2 1

Article concerning Arms and their Repairs

It is abſolutely neceſſary to obſerve on this Article for Arms, that his late Royal Highneſs the Prince of *Denmark* paſs'd a Warrant, directing, that the Pay of three Men, from every Company as of each Regiment of Marines, ſhould be deducted from the Captains, and apply'd by the Colonel (or in his abſence by the Commanding Officers)

Officers) for Furniſhing and Repairing Arms loſt, or by accident made unſerviceable on board her late Majeſty's Ships of War, or otherwiſe; and likewiſe ordering the ſeveral Commiſſaries of the Muſters of the Marine Forces, to allow the ſaid reſpective Captains three fictitious Men in each Muſter to commence from the 25th of *December*, 1705. and to be continued till the ſaid Warrant ſhould be ſuperceeded.

THAT the Officers might not have any Reaſon to complain of Loſs, by this Deduction, from the Credit of their Companies.

THAT purſuant to this Warrant, on adjuſting with General *Wills*, the Account for the Pay of himſelf and Company, from the Date of his Commiſſion in the Year 1705. Mr. *Potter* gives him Credit for the Subſiſtence of the before-mentioned three Men, from each Company of this Regiment, being 18 *s.* a Day from the 25th of *October*, 1705. the 24th of *December*, 1705. amounts to the Sum of — — — 985 10 0

AND General *Wills* in the Aſſignment made by himſelf, or by his Authority, for the Cloathing of this Regiment, hath taken Credit for the neat Off-reckonings of the 36 Men at 2 *d.* *per Diem.* for the ſame time; making the Sum of — — — 279 4 6

Together — 1264 14 6

What

WHAT Bills were drawn by Mr. *Porter* for Arms and repairing of Arms, by the Commanding Officers at Quarters, and paid him and charged to the Account of General *Wills* to the ſaid 24th of *December*, 1708. as by that Account ready to be produced appears, amounted to no more than the Sum of —— 838 12 4

So that General *Wills* profits by this Fund to the 24th of *December*, 1708 326 2 2

THAT purſuant to the ſame Warrant, Mr. *Porter* gives General *Wills*, in the Account deliver'd to the Honourable the Commiſſioners of Accompts for the Subſiſtence of the beforementioned 30 Men, being 3 Men *per* Company at 18 *s.* a Day from the 25th of *December*, 1708. to the 24th of *Auguſt*, 1711, when the ſame determined, amounting to the Sum of —— —— —— 875 14 0

And in General *Will*'s Aſſignment for Clothing of this Regiment he takes Credit for their Neat Off-reckonings for the ſame time, being 248 2 4

Together —— 1129 16 4

THESE Bills drawn and the Payment made by Mr. *Porter* is charg'd in this Account for Arms and repairing Arms, by written Orders from the Commanding Officers at Quarters, and pro-

per Vouchers thereunto annexed, from the 25th of *December*, 1708. to the 24th of *August*, 1714, amounts to the Sum of —— 3 8 3

And the Ballance in the whole Account due to the Office of Ordnance for Arms, furnished by them to this Regiment, from its Raiſing to Disbandment, amounts to —— 34 8 10

So that General *Wills* Profits from the 25th of *December*, 1708. to the 24th of *August*, 1711. by this Fund the Sum of —— 703 4 3

Total Profits £4566 18 6

N. B. Notwithſtanding that there is an Overplus of 1029 *l.* 6 *s.* 5 *d.* ariſing by this Fund for Arms, and Repairing, &c. yet General *Wills* ſuffered Colonel *Burſton* to be twice Arreſted by Mr. *Hazeler*, the Gunſmith, for Payment of 250 *l.* Intereſt and Coſt included, due to the ſaid *Hazeler* for 150 Arms, made by him, and delivered to Major *Williams*, at *Canterbury*, as appears by his Letter to Mr. *Hazeler*, which original Letter is annexed to a Memorial of Colonel *Burſton*'s now lying before the Honourable the Commiſſioners for Stating and Determining the Debts due to the Army, and praying Relief for the ſaid 250 *l.* out of the Overplus (in Mr. *Wills*'s Hands) ariſing by the ſaid Fund of Arms, which in the whole amounts to the Sum of 1029 *l.* 6 *s.* 5 *d.* there is likewiſe ſubjoyning the Copy of an

Original

Original Anonimous Letter. Dated *Monday, February*

THE Gentleman whose Son was here the other Day, and paid you Interest for the Things you know of is in Town, be with him at his Lodgings to Morrow at Six a Clock, make sure Work and take this Advice From a Friend.

I am Sir,

Your very humble Servant.

P. S. Take no Notice of this Advice to him, for perhaps will endeavour to shift you off.

To Mr. Robert Hazeler, *at the two Cross Muskeeons*, Tower Street.

From the Date of this Letter Colonel *Burston*'s Troubles began, and has continued ever since without ceasing. The Letter and Certificate that follows, proves to a Demonstration, that Mr. *Wills*'s fictitious Assignment had not pass'd the Clothing Board the 7th of *March*, 1714-15. a Copy of which Letter and Abstract of the several Assignments, which had pass'd the Clothing Board, are as followeth, the Original being now in my Possession.

Whitehal 7th of March, 1714-15

Sir,

I Read your Letter, and herewith you have an Abstract of all the Assignments pass'd at this Board, which was not constituted till

the Year 1707-8. and no Assignments brought in hither till 1712. The main Regiments supposing themselves to be accountable to the Admiralty Board, where I presume you may get an Account of all former Assignments, or all the Marine Officers. I suppose you have heard the Gentlemen that purchas'd the Assignment of Mr. *Robert Peters*, got the better of Major General *Wills* at *Westminster-Hall*.

I am *Sir*,

Your humble Servant

JOHN THOMPSON

ABSTRACT

ABSTRACT of several Assignments on the Off-reckonings of Major General *Wills*'s late Regiment of Marines.

	Date of the Assignment	To whom Payable	To what Time the Assignment take up the Offreckonings	Sum of each Assignment.
Major General *Wills*'s Assignment.	14 *June* 1709.	*Rob. Peters*	24 *April*, 1710.	1498 8 6
Major General *Wetham*'s, by Power from Major General *Wills*.	28 *Nov.* 1709.	Ditto.	25 *August* 1711.	2952 12 9
Major General *Wetham*'s by Virtue of the said Power	1 *Nov.* 1710.	Ditto.	24 *April*, 1712.	2475 11 0
Major General *Wills*'s	20 *May*, 1712.	Ditto.	24 *June* 1713.	4833 9 4
			Total	13260 1 1

I Do hereby Certify the above to be an Abstract of Major General *Wills*'s Assignments, enter'd in the Books belonging to the Board of General Officers, for Inspecting and Regulating the Clothing of the Army. *Privy Gardens 7 March*, 1714-15

JOHN THOMPSON.

NOW

Now the first Assignment bearing date the 19th of *January*, 1705-6. for 7428*l.* he knew nothing of what Clothing was made or delivered in *England*; but in *Spain* Lieutenant General *Wills* bought 310 Centinels Serjeant Coats, 310 pair of Breeches, 310 Hats, 310 Shirts, 310 Cravats, 310 pair of Shoes, 310 pair of Stockings, and some few Serjeants Coats, but the Number he knows not and the Profits arising by the said Assignment being before expressed, he humbly thinks, by a modest Computation, after the same Method, the subsequent Assignments which are faithfully Stated, and the Goods made and delivered on them, there may out of this Assignment remain due to his Company, about 50 Centinels Mountings.

The next bearing date the 20th of *November*, 1707. is a full Mounting, *viz.* a Coat, Wastcoat, Breeches, Caps, pairs of Shoes, pairs of Stockings, 2 Shirts, 2 Cravats, Swords or Bayonets, Belts Flasks, Cartouch Boxes, and Slings, which was made and delivered to the Men following, *viz.* 48 Serjeants, —— Corporals, 24 Drummers, 1000 Centinels.

The next bears date the 14th of June, 1709. to the 24th of *April*, 1710, by virtue of which was taken up a Coat, Cap, pair of Breeches, pair of Shoes, pair of Stockings, a Shirt and Cravats for 20 Serjeants, —— Corporals 18 Drummers, 280 Centinels

The

The next bearing date the 28th of *November*, 1709. to the 25th of *August*, 1711. by virtue of which was taken up a Coat, Cap, pair of Breeches, pair of Shoes, pair of Stockings, 2 Shirts, 2 Cravats for 48 Serjeants, —— Corporals, 24 Drummers, 1000 Centinels.

Moreover, on the said Assignment was taken up 250 Waistcoats, 250 Flasks, 250 Cartouch Boxes, 250 Bayonets, 250 Belts, and 150 Scabbords, 48 Serjeants and Drummers Swords.

The next bearing date the 1st *November*, 1710. to the 24th of *April*, 1712. by virtue of which was taken up a Coat, Cap, Breeches, pair of Shoes, pair of Stockings, a Shirt and Cravat, for 36 Serjeants —— Coporals, 18 Drummers, 50 Centinels.

Moreover, there was taken up 350 Waistcoats, 250 Bayonets, Ditto Slings, Ditto Belts, Ditto Flasks; 150 Scabbords for Bayonets, 100 Belts for Cartouch Boxes, and 72 Strings for Flasks.

The next bearing date the 20th of *May*, 1712. to the 24th of *June*, 1713. on which Assignment was taken up a Coat, Cap Breeches, a pair of Shoes, a pair of Stockings, 2 Shirts, and 2 Cravats, for the following Men, *viz.* 48 Serjeants, —— Corporals, 24 Drummers, and 800 Centinels.

Now from the 24th of June, 1713. *to Disbandment, Was any Clothing either made or deliver'd?*

THE whole Clothing for the Regiment on these five Assignments, from the 25th of *November*, 1707. to the 24th of *June*, 1713. which Assignments were regularly Issued, and the Regiment being further continued to the 25th of *December*, 1713. (the time of Disbandment) making upwards of six Years, the full Complement of the Regiment for one Year, being 48 Serjeants, 48 Corporals, 24 Drummers, 1136 Men.

THE Clothing for the six Years amounts to the Number of Men following *viz.* 288 Serjeants, 288 Corporals, 144 Drummers, 6816 Men.

Now deduct what was deliver'd of the said Clothing for the following Men, *viz.* 200 Serjeants —— Corporals, 108 Drummers, 5580 Men.

Remains to be Clothed of the said Assignments, *viz.* 88 Serjeants, 288 Corporals, 36 Drummers, 3236 Men.

Colonel *Burston* and his Company's part of the Remaining Mountings, his Serjeants being computed as double Centinels, the Corporals and Drummers as Centinels, and the Private Men for the said time, he then will want 356 Suits, including the 50 Suits due to him in the 1st Assignment of the 17th of *January*, 1705-6. it being a Year and 10 Months;

Months; ſo there will remain of the 380 Suits but 24 Suits: This was the Method Colonel *Burſton*'s Lawyer advis'd him to take, in his Reply to Mr. *Wills*'s Bill in Chancery, aſſuring him at the ſame time, that he had as much Right (if not more) to the ſaid Perquiſite as Mr. *Wills* himſelf, and that the Court would certainly adjudge it ſo; but Colonel *Burſton* could not be prevailed upon, he perſiſting, that ſuch a Claim would not only be follow'd by the reſt of Mr. *Wills*'s Captains, but even of the whole Army, and perhaps be the Occaſion of the Parliament's taking this Glorious Perquiſite from the Colonels: For this Reaſon, and out of particular Regard to Mr. *Wills*, he has not only ſuffered, as before related, but has continued perfectly ſilent till about the latter end of *February* laſt, when Mr. *Wills*'s Lawyer ſpoke to Captain *Courtney*, to acquaint him, that the General expected the Hundred Pound he ow'd him; upon this Col. *Burſton* writ to Mr. *Wills* a Civil Letter, wherein he acquainted him, that he always expected that Hundred Pound would have been diſcounted as part of the 250 *l*, he had paid *Hazelar*, he having given his Word and Honour to Captain *Alexander Wilſon* and himſelf, to make him intirely eaſy on that Account; but ſince it was otherwiſe he had ſpoke to Captain *Courtney*, to pay him: The General's Anſwer to him, by Mr. *Bambridge* his Lawyer, was, That his Letter was not Satisfactory: Upon this Colonel *Burſton* gave in a Memorial to the Commiſſioners, relating the whole Caſe, as to Arms, praying Relief; and further reſolv'd to make Publick his Caſe; and at the beginning of *March*,

acquainted Mr. *Wills* therewith, ſent him a true Copy of his Perquiſite, and in his Paſſion told him, that he had Demands on him, *viz.* A Hundred Pound a Year Penſion, and a Hundred Pound ready Money; and withall, in order to bring him to Reaſon, he made mention of being offered more another way, *&c.* he writ to the ſame Purpoſe to a moſt Noble Lord; what Thoughts he had of it, we know not, but Oppreſſion, ſuch as he ſuffer'd, will make a wiſe Man.

HAVING thus ſtated General *Wills*'s clear Profits by his Regiment, and by the Arts of his Management; and alſo by Colonel *Burſton*'s Account to the Cloathing of his own Company, by which his Conduct in that part will alſo appear, it remains to ſupport Colonel *Burſton*'s particular Conduct in the Service, by ſuch Authorities as are always thought Sufficient, by Men of Honour; and this he is obliged to, becauſe of the Scandalous Reflections, which he finds caſt upon him in the Accounts which other People have taken a liberty to give of this Affair.

WHEN the War was over and the Army reduc'd, it will be no Diſhonour to Collonel *Burſton* to ſay, that as he had always prefer'd his Duty to his Intereſt, he was (as was the fate of many other Gentlemen of the Army) not provided for, and that therefore Petitioned the late Queen for ſome farther Relief; the Petition is as follows:

To

To the Queen's most Excellent Majesty in Council.

The humble Petition of Colonel *George Burston*, of General *Wills*'s Regiment of *Marines*.

Humbly sheweth,

THAT he has been in the Service of the Crown Nine and twenty Years, Seven and twenty of which in Commission; that he was made Captain in the Lord *Castleton's* Regiment, in the second Year of King *William*, and served six Campaigns in *Flanders*, being present at Forcing the *French* Lines under the Duke of *Wirtemburgh*, and likewise at the Siege of *Namure*.

THAT since the last War he has serv'd three Years in *Spain*, and was Major to General *Wills*'s Regiment at the Battle of St. *Estivan*, where fourteen Hundred of your Majesty's and your Allies Troops, beat upwards of four Thousand *French*, in which Action he received thirteen Stabbs and Cuts from the Enemy, by Bayonets and Swords, which has very much disabled and impaired him.

THAT he was both at the Seige and Defence of *Barcelona*; and likewise at the Seige of *Lerida*; and as to his Behaviour during the last War, the General Commanding Officer will testify, that he has on all Occasions demeaned himself as becomes your Majesty's Subject.

And having been at a great Charge in the Cure of his Wounds, and ſuſtaining great Loſſes during the Seige of *Lerida*

Humbly intreats your Majeſty, that he and his Family may be Number'd amongſt ſuch as have already participated of your Majeſty's Bounty, on like Occaſions, in ſuch manner as your Majeſty ſhall think fit.

And your Petitioner ſhall ever pray.

To ſupport this Petition, it behov'd the Colonel to give in ſuch Teſtimonials of his Service, and of his General, as well as particular Behaviour, as might put that part out of Queſtion; and as he was ſufficiently furniſh'd for this part, he gave in, firſt a Certification under General *Will*'s own Hand, as follows:

A Copy of Mr. Will's Certificate.

I Do hereby certify, that Colonel *George Burſton*, has been ſeveral Years in the Service; and that both laſt War and this, he has upon all Occaſions, behaved himſelf, as becomes a Man of Honour and your Majeſty's Subject.

That on the 13th of *January*, 1705-6. at the Battle of St. *Eſtiouu* in *Catalogne*, being then my Major, he particularly diſtinguiſh'd himſelf, and was very inſtrumental in the Honour and Reputation your Majeſty's Troops gained that Day over a Body of *French* above three Times their Number; in which

Action

Action he received thirteen Stabbs and Cuts of Bayonets, and lay for upwards of four Hours among the Slain.

That at the Seige and Defence of *Barcelona*, and likewise that of *Lerida*, none in his Station has upon all Occasions been more ready and Servicable, and being imployed by me to Manage the Capitulation with the Duke of *Berwick* at a time when the Garrison was reduced to the very last Extremity, both for want of Men and Provisions, and that the Enemy had made three large Breaches in the body of the Place, he managed the same to the Honour of your Majesty's Arms, and the intire Satisfaction of the Garrison.

That my Lord *Galloway* in a Letter to Mr. *St. John*, has already mentioned his Service, and particularly recommended him to his Royal Highness, and I having been an Eye Witness of his Behaviour both last War and this, do humbly recommend him to your Majesty's gracious Favour, he very well deserving the same. Dated this 26th of *November*, 1708.

CHARLES WILL.

To this the Colonel subjoined a Letter of the Earl of *Galloway*, to Mr. Secretary *St. John*, afterwards Lord *Bolingbroke*, as follows; Dated from *Terragona*.

For

Tarragena 20th, December, 1707. N. S.

Sir,

COLONEL *Burton* will have the Honour to deliver to you a Memorial from the Officers of the Marines, who have been preferred in the Service upon Recommendation of Major General *Wills*, as it became their due by Seniority, and with a particular Regard to their Services, which I desire you will lay before his Royal Highness, who when Inform'd of these Gentlemens just Pretentions, and of their Case, will give such Orders as he shall think most Convenient for the Service, and for their Satisfaction.

I wrote to you by Major *St. John* Ten Months ago, to desire to know of you, if the Prince had any Objections to the giving out Commissions here in the Marines, which being not Contradicted, I continued filling up such as Major General *Wills* recommended; and I writ to you some time ago, about the uneasiness that granting Commissions in *Britain* and here, did occasion in the Service; and that till I knew her Majesty was pleased to recal the Power she had granted me to give Commissions, I did not think I could cease from filling up the Vacancies without great prejudice to the Service: I need not observe to you what a Discouragement it will be in general to all Officers, and in particular to the Officers of Marines, who ever since their coming into this Country, have been always upon Action, if those that are Younger Officers

Officers, and tarry at home, can get Commiſſion over their Heads.

Tho' I cannot but in general give a great Character of the Body of Marines that ſerve here, and that the Caſe of all Officers are the ſame, I muſt recommend to your Royal Highneſs's Favour, Colonel *Burſton*, who was Eldeſt Major in all the Marines when recommended to me to be Lieutenant Colonel, he ſignaliz'd himſelf, and received ſeveral Wounds at the Battle of *St. Eſtivan*, where our Troops beat three times their Number of *French*.

I muſt alſo give Major *Seot* a particular Recommendation, who when I made him Captain, was the eldeſt Lieutenant in the Marines, and had a Brevet of Captain, beſides his Behaviour upon all Occaſions I muſt in particular Recommend him for his Care in aſſembling our Deſerters, when I made him Town Major of *Lerida*, and from whence he came ſeveral Times with Fifty at a time, and brought us ſeveral Deſerters Horſes, which he bought as they came off, and which was a great Aſſiſtance to us in our Cavalry; he had the Misfortune to be at laſt taken Priſoner.

I am with great Eſteem

Sir your moſt faithful humble Servant

To Mr. St. John, *Secretary to*, &c. GALLWAY.

This

This Petition, and the Certificate, and Letter, being presented to her Majesty, were all refer'd by the Queen to the Lord High Admiral, which Reference and the Lord High Admiral's Report, are as follows:

A Reference from the Queen and Council, to the Lord High Admiral,

At the Court at St. James's the 30th of December, 1708.

PRESENT,

The Queen's most Excellent Majesty in Council.

UPON reading this Day at the Board the humble Petition of Colonel *George Forster*, of Major General *Wills*'s Regiment of Marines, praying some Consideration for his Service in *Spain*, and Losses he sustained during the Seige of *Lerida*, it is ordered by her Majesty in Council, that the Consideration of the said Petition (a Copy whereof is hereunto annex'd) be, and it is hereby refer'd to the honourable the Lord High Armiral, who is to report to this Board, what his Lordship conceives her Majesty may fitly do therein.

CHRIS. MUSGRAVE.

The Lord High Admiral's Report.

Tho-

Thomas *Earl of* Pembroke *and* Montgomery, *Lord High Admiral*, &c.

HER Majeſty having been pleaſed to refer to me the Petition of Colonel *George Burſton*, of Major General *Willi*'s Regiment of Marines, praying ſome Conſideration for his long and faithful Service to the Crown, and particularly for his Services and Sufferings in *Spain*: I have in obedience to her Majeſty's Commands, conſidered the Petitioner's Caſe, and do humbly report to her Majeſty, that as it appears by the Certificate of Major General *Willi*, he has behaved himſelf like a Good and Gallant Officer, during his being under his Command; and that he had no leſs than 13 Stabs and Cuts of Bayonets at the Battel of *St. Eſtivan* in *Catalonia*, ſo has he a General and Good Character, not only of an Experienced, but an Active and Stout Officer; but as to the Reward he Petitions for I do moſt humbly inform your Majeſty, that although his Merits may intitle him to her Majeſty's Bounty, yet I am altogether unable to inform her Majeſty, out of what Money the Petitioner can be gratified, in Caſe her Majeſty ſhall be pleaſed to extend her Gracious Bounty to him; but the Petitioner having laid before me her Majeſty's Warrant, dated the 12th of *October*, 1705, counter ſigned by my Lord High Treaſurer, and directed to Mr. *Nichols*, the Paymaſter of divers of her Majeſty's Penſions, by which an Allowance of one Hundred Pounds *per Ann.* is ſettled on *Mark Anthony Daverne De Monterall* and his Wife, and the longeſt Liver of

them, I do at the requeſt of the Petitioner humbly inform her Majeſty thereof, and ſubmit his Caſe to her Majeſty's Wiſdom and Juſtice.

By his Lordſhip's Command

Admiralty Office 18. January 1708-9. *BURCHET.*

Upon this Report her Majeſty was farther pleaſed to refer the Colonel to the Lord High Treaſurer in order to his Relief, but my Lord Treaſurer having been diſplaced in the Interval of theſe Things, it was refer'd to the Commiſſioners of the Treaſury, then in being, without any new order of Reference, except my Lord *Stanhope*'s Letter, which Reference and Letter are as follows:

At the Court of St. James's, *the* 3*d of* February, 1708.

PRESENT

The Queen's moſt Excellent Majeſty in Council.

UPON Reading this Day at the Board a Report from the Lord High Admiral, on the Petition of Colonel *George Burſton* of Major General *Wills*'s Regiment of Marines, praying ſome Conſideration for his long and faithful Service, and in particular for his Services and Sufferings in *Spain*: It is ordered, by her Majeſty in Council, that the ſaid Report, a Copy whereof is hereunto annexed, be, and it is hereby Recommended to the Right

Right Honourable the Lord High Treaſurer, to receive her Majeſty's Pleaſure therein.

JOHN POVEY.

While this thing depended, the Queen dyed, and his preſent Majeſty being immediately Proclaim'd, Coll. *Burſton* renewing his Application for ſome Relief, preſented the following Petition to the King.

The humble Petition of Colonel *George Burſton.*

Moſt humbly ſheweth,

THAT your Petitioner has ſerved the Crown as Commiſſioner above Thirty Five Years in *Flanders*, and was a conſiderable Sufferer, by Wounds received in ſeveral Actions, particularly, that of St. *Eſtivan*, the Cure of which put him to great Expence, beſides which, he ſuſtained great Loſſes at the Seige of *Lerida*, all which here fully appears by the annex'd Certificates and other Papers.

THAT having applyed to the late Queen and ſince to your Majeſty, that he and his Family might partake of the Royal Bounty, as others had done in the like Circumſtances, and obtained favourable Orders of Council, and from the Secretary's Office: He hath been hitherto diſappointed of the Effects of them, Firſt by the removal of the Earl of *Godolphin*, from the Treaſury, and laſtly, by preferring the Attendance upon his Duty at the Time of the late Rebellion, to the Proſecuting of this Solicitation of his own Private Affairs.

He humbly prays, that your Majeſty will be graciouſly pleaſed to take his long Services, Loſſes and Sufferings into Conſideration, to Commiſerate him and his Family, who have no other Dependance, than on your Majeſty's Goodneſs, and to order that he may partake of your Majeſty's Bounty, in ſuch manner as to your Majeſty in your great Wiſdom ſhall ſeem meet.

And your Petitioner, ſhall as in Duty Bound, ever pray.

A Copy of my Lord Stanhope's *Letter to the Lords of the Treaſury.*

Whitehal June, 24. 1715

My Lords,

I Am ordered to tranſmit to your Lordſhips the inclos'd Petition and Papers thereunto annex'd, of Colonel *George Burſton*, and to ſignify to your Lordſhips his Majeſty's Pleaſure, that you conſider the ſame and report your Opinion of what is fit to be done for the Petitioner. I am, *&c.*

James Stanhope.

Thus

Thus the Colonel's Merit in the Service of his Country, has been acknowledged by the Teſtimony of General *Wills* himſelf; and he cannot now, without palpable Contradiction of himſelf, go from it: It has indeed been his Misfortune to ſolicit in vain for Relief, the Alterations and Changes, appointed by Providence in the poſture of the Government, and in the Perſon of our Governors, having frequently interrupted the good Diſpoſition, which appeared in the Publick, to conſider and relieve him; The Sum of all is this, the Colonel's Account ſtands pretty clear with the World, and he thinks it would not be much out of the way to ſtate it, by the Method of Dr. and Cr. by which it will appear, whether he is in Debt to his Country, or his Country to him; as follows:

Bal.

Col. Burston Debtor.	Col. Burston Creditor.
To hard usage, small Pay and no Preferments, but an Ensign's Commission bought for 23 l. and taken away for being a Protestant.	By 3 Years Service, 4 Cadets, and 4 Years as an Ensign under Col. Farmer, &c.
To a Lieutenant's and Captain's Commission: This last after three Juniors preferd before him.	By 13 Years faithfull Service in *Flanders*, under King *William*, to the Peace at *Ryswick*.
To 12 Wounds at St *Estevan*, besides being Cured at his own Charges.	By 12 Years Service on Board the Fleet, and in *Catalogna* to the time of disbanding the Marines.
To a Major's Commission, with the like Hardships as before.	By Preserving the whole Garrison of *Lerida*.
To a Brevet for Colonel, made good at the Seige of *Lerida*.	

Ballance due from Colonel *Burston*, Nothing.

No 3

There

There might be ſomething ſaid here of Colonel *Burſton*'s Behaviour ſince the War expir'd, at all Times, and on all Occaſions for the Intereſt of King *George*, as well before his Majeſty's Acceſſion to the Crown, as ſince; and particularly the well-known Proceſſion for expoſing the *Pretender*, as well his Perſon, as his Intereſt, in the famous Burning the *Pope* and *Pretender* at *London Derry* in *Ireland*, on King *George*'s Birth-Day, which was all done at his own Charge, and which the Earl of *Gallway*, then Lord Juſtice of *Ireland*, and General of the Army, was ſo pleaſed with, and acknowledged to be ſo very Loyal, and ſo very Seaſonable, with reſpect to the diſcouraging Treaſon and Popery at that time, that he ſent the Colonel 100 *l.* as a Compliment towards his Expences, and as a Token of his approving his Projects, which 100 *l.* he has the Honour, as well as Misfortune to ſay, is all the Reward he has receiv'd above his Ordinary Pay, for 40 Years deſperate Service, and Thirteen Wounds obtained in the late War, for the Service of his Country.

G. BURSTON

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